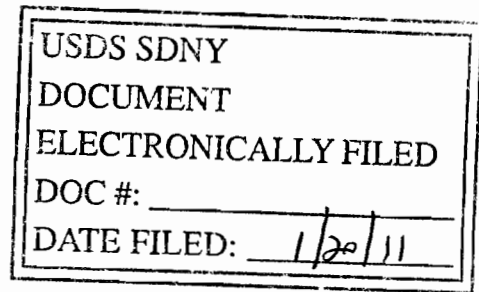


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



\_\_\_\_\_  
JOHN OLIVERI,

Petitioner,

-against-

07 Civ. 8262 (CM)(RLE)

THE STATE OF NEW YORK,

Respondent.  
\_\_\_\_\_

MEMORANDUM DECISION AND ORDER ADOPTING THE  
REPORT AND RECOMMENDATION OF THE MAGISTRATE  
JUDGE AS THE OPINION OF THE COURT AND DENYING  
THE PETITION FOR A WRIT OF HABEAS CORPUS

McMahon, J.:

The court has reviewed the Report and Recommendation of The Hon. Ronald L. Ellis, U.S.M.J., in which the learned Magistrate Judge recommends that the petition for a writ of habeas corpus be denied and this action dismissed.

I have also reviewed petitioner's objections to the Report, which simply restate the various defective arguments identified by Judge Ellis in his Report.

The Report is accepted and adopted as the opinion of the Court. The petition for a writ of habeas corpus is DENIED for the reasons stated in the Report. The Clerk of the Court is directed to close this case.

Dated: January 20, 2010

A handwritten signature in cursive script, likely belonging to the Clerk of Court.

\_\_\_\_\_  
U.S.D.J.

Copies mailed / faxed / handed to counsel on 1/20/11

BY FIRST CLASS MAIL TO:

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